



AP19:084

**FOR IMMEDIATE RELEASE**

**October 25, 2019**

**CONTACT:**

**SOS Press Office**

**(916) 653-6575**

## **Secretary of State Alex Padilla Assigns Number to March Ballot Measure, Invites Ballot Arguments**

**SACRAMENTO** – Secretary of State Alex Padilla today assigned the proposition number to the legislative measure set to appear on the March 3, 2020 Presidential Primary election ballot and invited interested Californians to submit arguments to be considered for inclusion in the statewide Voter Information Guide.

The proposition is listed below, along with the Legislative Counsel's digest and the link to the full text:

### **Proposition 13**

**[AB 48 \(Chapter 530, Statutes of 2019\), O'Donnell. Education finance: school facilities: Public Preschool, K-12, and College Health and Safety Bond Act of 2020. \(PDF\)](#)**

(1) Existing law authorizes the governing board of any school district or community college district to order an election and submit to the electors of the district the question of whether the bonds of the district shall be issued and sold to raise money for specified purposes. Existing law generally requires, to pass a school bond measure, that either at least 2/3 of the votes cast on the proposition of issuing bonds be in favor of issuing the bonds to pass the measure, or, if certain conditions are met, at least 55% of the votes cast on the proposition of issuing bonds be in favor of issuing the bonds. Existing law prohibits the total amount of bonds issued by a school district or community college district from exceeding 1.25% of the taxable property of the district, as provided.

This bill would raise that limit to 2%.

(2) Existing law also authorizes a unified school district to issues bonds receiving at least 55% of the votes cast on the proposition of issuing the bonds that, in aggregation with bonds issued with a 2/3 favorable vote, do not exceed 2.5 % of the taxable property of the district, as provided.

This bill would raise that limit to 4%. The bill would make a similar percentage increase for community college districts.

(3) The Leroy F. Greene School Facilities Act of 1998 provides for the adoption of rules, regulations, and procedures, under the administration of the Director of General Services, for the allocation of state funds by the State Allocation Board for the construction and modernization of public school facilities.

This bill would, among other things, require a school district to submit to the Department of General Services a 5-year school facilities master plan or updated 5-year school facilities master plan, as provided, as a condition of participating in the school facilities program under the act, would require the school district to submit specified information in the school district's application for an apportionment of state funds, and would make other changes to requirements a school district is required to comply with before participating in programs under the act. The bill would require the department to process applications to participate in the program, as specified, and would make other changes to the method by which the board makes apportionments of moneys under the act.

This bill would establish the 2020 State School Facilities Fund, and authorize the board to apportion, and make disbursements of, moneys in the fund, as provided. The bill would require, for bonds approved by voters in 2020 or thereafter, the board to adjust a school district's required local and state contribution, as specified. The bill would authorize new construction and modernization grants to be used for seismic mitigation purposes and, among other things, to establish schoolsite-based infrastructure to provide broadband internet access. The bill would also authorize modernization grants to be used, among other things, for the control, management, or abatement of lead and for the demolition and construction of a building on an existing schoolsite that meets specified conditions. The bill would prohibit the use of new construction and modernization grants for the purchase of portable electronic devices with a useful life of less than 3 years.

This bill would authorize funding for health and safety projects by a school district, as provided.

This bill would authorize the board to provide a grant to test for lead in water outlets used for drinking or preparing food on schoolsites serving kindergarten or any of grades 1 to 12, inclusive, as provided. The bill would specify procedures that small school districts, as defined, may use to obtain project and construction management, new construction grants, and modernization grants.

The bill would also make conforming changes in, and remove inoperative provisions from, the act.

(4) The act also requires the board to adopt regulations for determining the amount of funding and the eligibility and prioritization of funding that school districts with a financial hardship may receive from bond acts for construction, modernization, or relocation assistance. The act requires those regulations to include consideration of various factors, including whether the school district's total bonding capacity is \$5,000,000 or less, in which case the school district shall be deemed eligible for financial hardship.

This bill, for purposes of the regulations related to financial hardship eligibility, would increase the total bonding capacity cap to \$15,000,000, to be adjusted as specified.

(5) The California Constitution prohibits the Legislature from creating a debt or liability that singly or in the aggregate with any previous debts or liabilities exceeds the sum of \$300,000, except by an act that (A) authorizes the debt for a single object or work specified in the act, (B) has been passed by a 2/3 vote of all the Members elected to each house of the Legislature, (C) has been submitted to the people at a statewide general or primary election, and (D) has received a majority of all the votes cast for and against it at that election.

This bill would set forth the Public Preschool, K-12, and College Health and Safety Bond Act of 2020 as a state general obligation bond act that would provide \$15,000,000,000 to construct and modernize education facilities, as specified. This bond act would become operative only if approved by the voters at the March 3, 2020, statewide primary election. The bill would also provide for the submission of the bond act to the voters at that election.

(6) Existing law establishes the California State University, which is administered by the Board of Trustees of the California State University, and the: University of California, under the administration of the Regents of the University of California, as segments of public postsecondary education in this state.

This bill would require the Board of Trustees and the Regents to comply with certain conditions, as provided, before receiving funds from the 2020 University Capital Outlay Bond Fund established pursuant to the Public Preschool, K-12, and College Health and Safety Bond Act of 2020.

(7) Existing law authorizes the governing board of a school district to impose, as specified, an alternative fee, charge, dedication, or requirement on developers to fund school facilities, until the date new construction bond proceeds authorized by the Preschool-College Public Education Bond Act of 2016 are expended, or December 31, 2020, whichever is earlier.

This bill would remove this authority beginning the earlier of January 1, 2021, or the date new construction bond proceeds authorized by the 2016 bond act are expended or apportioned, until January 1, 2028. The bill would also exempt multifamily housing developments that are located no further than ½ mile from a major transit stop, and reduce by 20% from specified amounts for any other multifamily housing developments, as specified, from any fee, charge, dedication, or other requirement for the construction or reconstruction of school facilities, as provided.

(8) This bill, except for the provision making the provisions of the bill severable, would become effective upon the adoption of the Public Preschool, K-12, and College Health and Safety Bond Act of 2020 by the voters at the March 3, 2020, statewide primary election.

### **Ballot Arguments**

Arguments may be submitted for or against the measure. Arguments selected for the statewide Voter Information Guide will be on public display from November 19 to December 9, 2019. If multiple arguments are submitted for the proposition, state law gives first priority to arguments

written by legislators in the case of legislative measures; subsequent priority goes to bona fide citizen associations and then to individuals. No more than three signers are allowed to appear on an argument or rebuttal to an argument.

Ballot arguments cannot exceed 500 words and rebuttals to ballot arguments cannot exceed 250 words. All submissions should be typed and double-spaced. Arguments may be hand-delivered to the Secretary of State's Elections Division at 1500 11<sup>th</sup> Street, 5<sup>th</sup> Floor, Sacramento, California 95814; faxed to (916) 653-3214; or emailed to [VIGarguments@sos.ca.gov](mailto:VIGarguments@sos.ca.gov). If faxed or emailed, the original documents must be received within 72 hours. The deadline to submit ballot arguments is November 5 by 5:00 p.m. The deadline to submit rebuttals to the ballot arguments is November 14 by 5:00 p.m.

For more information on ballot measures, candidate filing requirements, and election deadlines, please visit: <https://www.sos.ca.gov/elections/upcoming-elections/presidential-primary-election-march-3-2020/>

